

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

DEDRIC LAMAR GREER,

Plaintiff,

v.

ROB JACKSON,

Defendant.

No. 4:22-CV-5028-TOR

ORDER DISMISSING ACTION FOR
FAILURE TO COMPLY WITH *IN*
FORMA PAUPERIS AND FILING
FEE REQUIREMENTS

Plaintiff, a prisoner at the Washington State Penitentiary (“WSP”), filed this *pro se* civil rights complaint on March 3, 2022. ECF No. 1. He did not pay the filing fee to commence the action as required by 28 U.S.C. § 1914. He also failed to comply with 28 U.S.C. § 1915(a)(2), which requires prisoners who seek to bring a civil action without prepayment of the filing fee to submit a certified copy of their inmate account statement (or the institutional equivalent) for the six months immediately preceding the filing of the complaint.

By letter dated March 3, 2022, the Clerk of Court advised Plaintiff that he needed to provide a statement of his inmate account for the six months immediately

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1 preceding the submission of his complaint, (also known as a “PLRA statement”).
2 ECF No. 3. In the alternative, the Clerk of Court directed Plaintiff to pay the full
3 \$402 filing fee (\$350 filing fee, plus \$52 administrative fee) to commence this
4 action. *Id.*

5 On March 29, 2022, this Court ordered Plaintiff to either submit a certified
6 statement of his inmate account for the six-month period immediately preceding
7 March 3, 2022, or to pay the full \$402.00 filing fee. ECF No. 4 at 2. On April 11,
8 2022, Plaintiff submitted a trust account statement from the WSP, which only
9 showed transactions for a one-month period between February 15, 2022 and March
10 15, 2022. ECF No. 5.

11 On April 13, 2022, this Court once again ordered Plaintiff to either submit a
12 certified statement of his inmate account for the six-month period immediately
13 preceding March 3, 2022, or to pay the full \$402.00 filing fee. ECF No. 7 at 2.
14 Plaintiff was cautioned that failure to do either within 21 days of the date of the
15 Order would result in the dismissal of this case. *Id.* Plaintiff did not comply with
16 these directives and has filed nothing further. Therefore, it appears that Plaintiff
17 has abandoned this litigation.

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1 Accordingly, for the reasons set forth above and in the Court's prior Orders,
2 ECF Nos. 4 and 7, **IT IS ORDERED** that this action is **DISMISSED WITHOUT**
3 **PREJUDICE** for failure to comply with the filing fee and *in forma pauperis*
4 requirements of 28 U.S.C. §§ 1914 and 1915.

5 The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal of this
6 Order would not be taken in good faith and would lack any arguable basis in law or
7 fact.

8 **IT IS SO ORDERED.** The Clerk's Office is directed to enter this Order,
9 enter judgment, provide copies to Plaintiff at his last known address, and **CLOSE**
10 the file.

11 DATED May 5, 2022.




THOMAS O. RICE
United States District Judge